

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order:

Chairman Bill Wilson, on January 22, 2009 at 8:30 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Bill Wilson, Chairman (D)
Rep. Bill Beck, Vice Chairman (R)
Rep. Michele Reinhart, Vice Chairwoman (D)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Paul Beck (D)
Rep. Tom Berry (R)
Rep. Carlie Boland (D)
Rep. John Fleming (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Mr. Campbell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 211, 1/15/2009; HB 234,
1/15/2009

Executive Action: HB 143, HB 188, HB 189

00:00:50 Rep. Noonan enters.

HEARING ON HB 234

Opening Statement by Sponsor:

00:01:08 Rep. Bob Ebinger (D), HD 62, opened the hearing on
HB 234, Authorize off premise beer and wine licensees
hold tasting events.

[EXHIBIT\(buh15a01\)](#)

Proponents' Testimony:

00:05:17 Tim France, Proprietor of Warden's Market, Missoula
00:13:25 Art Galloway, Proprietor of Toppers Cellar, Helena
00:14:51 Billy Shepard, Proprietor of the Panhandler, Helena
00:17:23 Gene Betz, Proprietor of Vintage Sellers, Great Falls
00:18:27 Debbie Endres, Proprietor, The Gourmet Cellar,
Livingston
00:20:18 David Scrimm, Self
00:21:25 Mona Jamison, Wine Institute

Opponents' Testimony:

00:25:05 Mark Staples, Montana Taverns Association
00:30:07 Rep. Augare enters.
00:32:04 Ralph Ferraro, Proprietor Ferraro's Italian Restaurant,
Great Falls
00:32:47 Janet Prescott, Park County Tavern Association
00:34:22 Bob Miller, Southwest Montana Tavern Association
00:35:34 Vicky Turner, Director, Prevention Resource Center,
Department of Public Health and Human Services
00:39:09 Kris Minard, Self

[EXHIBIT\(buh15a02\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:40:29 Rep. B. Beck

00:41:39 Rep. Ebinger
 00:43:56 Rep. B. Beck
 00:44:41 Rep. Boland
 00:45:13 Mr. Ferraro
 00:45:37 Rep. Boland
 00:45:55 Mr. Ferraro
 00:46:14 Rep. Hunter
 00:46:40 Mr. France
 00:49:47 Shawna Helfert, Administrator, Liquor Control Division,
 Department of Revenue
 00:49:56 Rep. Hunter
 00:50:35 Ms. Helfert
 00:50:56 Rep. Hunter
 00:51:03 Ms. Helfert
 00:51:11 Rep. Hunter
 00:51:21 Ms. Helfert
 00:52:02 Rep. Klock
 00:52:38 Mr. Staples
 00:53:55 Rep. P. Beck
 00:54:21 Mr. Ferraro
 00:54:29 Rep. P. Beck
 00:54:34 Mr. Ferraro
 00:54:59 Rep.. Berry
 00:55:27 Ms. Helfert

Closing by Sponsor:

00:55:51 Rep. Ebinger
 00:59:47 Chairman Wilson calls a recess.
 01:19:45 Chairman Wilson resumes meeting.

HEARING ON HB 211

Opening Statement by Sponsor:

01:19:57 Rep. Jeffery Welborn (R), HD 72, opened the hearing on
 HB 211, Responsible alcohol vendor act.

Proponents' Testimony:

01:22:32 Ronna Alexander, Convenience Store Association
 01:26:40 Jack Hook, District Manager, Thriftway Stores
 01:32:06 Cheryl Warburton, Town Pump Employee
EXHIBIT (buh15a03)
 01:37:32 Mark Staples, Montana Tavern Association
 01:43:44 Brad Griffin, Montana Retail Association
 01:45:17 Roy Morris, Convenience Store Owner, Butte
 01:47:36 Neil Peterson, Gaming Industry Association of Montana

01:48:58 Tony Herbert, Executive Director, Montana Brewers
Association
01:49:43 Bob Miller, Southwest Tavern Association

Opponents' Testimony:

01:50:23 Vicky Turner, Prevention Resource Center

Informational Testimony: None

Questions from Committee Members and Responses:

01:53:12 Rep. Fleming
01:54:08 Mr. Staples
01:54:43 Rep. Vance
01:54:59 Ms. Alexander
01:56:11 Rep. Arntzen
01:56:46 Shawna Helfert, Administrator, Liquor Control Division,
DOR
01:57:02 Rep. Arntzen
01:57:27 Ms. Helfert
01:58:04 Rep. Arntzen
01:58:17 Ms. Helfert
01:58:47 Rep. Welborn
02:01:12 Rep. Arntzen
02:01:44 Rep. Welborn

EXHIBIT (buh15a04)

02:02:20 Rep. Arntzen
02:02:26 Ms. Helfert
02:03:14 Rep. Arntzen
02:03:50 Mr. Hook
02:05:50 Rep. Reichner
02:06:57 Ms. Helfert
02:07:34 Rep.. Reichner
02:08:03 Ms. Helfert
02:08:24 Rep. Reichner
02:08:29 Ms. Helfert
02:09:06 Rep. Reinhart
02:09:26 Ms. Helfert
02:09:45 Rep. Reinhart
02:09:52 Ms. Helfert
02:10:11 Rep. Reinhart
02:10:15 Ms. Helfert
02:10:40 Rep. Reinhart
02:10:47 Ms. Helfert
02:11:00 Rep. Reinhart
02:11:22 Ms. Turner
02:11:36 Rep. Reinhart
02:12:00 Rep. Welborn

02:12:02 Rep. Reinhart
02:12:15 Rep. Welborn
02:12:28 Rep. Reinhart
02:12:45 Bart Campbell, Legislative Attorney, Legislative
Services Division
02:14:22 Rep. Reinhart
02:14:38 Ms. Alexander
02:15:56 Rep. P. Beck
02:16:30 Rep. Welborn

Closing by Sponsor:

02:17:09 Rep. Welborn

02:18:28 Chairman Wilson calls a recess.
02:34:01 Chairman Wilson resumes meeting.

Announcements:

02:34:22 Rep. Hunter
02:34:35 Rep. Reinhart

EXECUTIVE ACTION ON HB 188

02:35:34 **Motion:** Rep. Reinhart moved that **HB 188 DO PASS.**

02:35:40 Chairman Wilson
02:35:41 Mr. Campbell
02:35:50 Rep. Reinhart
02:36:26 Chairman Wilson

02:37:26 **Motion:** Rep. Berry moved that **HB 188 BE AMENDED.**
EXHIBIT (buh15a05)

02:38:17 Mr. Campbell
02:38:39 Rep. Reinhart
02:40:12 Rep. Arntzen
02:40:48 Mr. Campbell
02:41:32 Rep. Arntzen
02:42:03 Chairman Wilson
02:42:05 Mr. Campbell
02:42:40 Rep. Arntzen
02:42:51 Rep. Reinhart
02:43:03 Rep. Arntzen
02:43:40 Rep. Boland
02:44:18 Chairman Wilson
02:44:25 Rep. Arntzen calls for the question.

02:44:27 **Vote:** Motion carried unanimously by voice vote, Reps. Furey and Milburn voting by proxy.

02:44:54 **Vote:** Motion that **HB 188 DO PASS AS AMENDED** carried 14-4 by roll call vote, with Reps. B. Beck, Vance, and Welborn voting no. Rep. Milburn and Furey voting by proxy.

EXECUTIVE ACTION ON HB 189

02:45:36 **Motion:** Rep. Reinhart moved that **HB 189 DO PASS.**

02:45:47 Chairman Wilson

02:45:48 Mr. Campbell

02:46:06 Rep. Berry

02:46:18 **Motion:** Rep. Reinhart moved that **HB 189 BE AMENDED.**
EXHIBIT(buh15a06)

02:47:11 Chairman Wilson

02:47:25 Rep. Reinhart

02:48:20 Mr. Campbell

02:48:54 Rep. Reichner

02:49:01 Mr. Campbell

02:49:52 Chairman Wilson

02:49:57 Mr. Campbell

02:50:02 Chairman Wilson calls for the question.

02:50:12 **Vote:** Motion carried unanimously by voice vote.
Reps. Berry, Furey and Milburn voting by proxy.

02:50:27 **Motion:** Rep. Reinhart moved that **HB 189 BE AMENDED.**
EXHIBIT(buh15a07)

02:51:38 Rep. Reinhart

02:53:44 Rep. Arntzen

02:54:03 Rep. Reinhart

02:54:08 Mr. Campbell

02:55:40 **Vote:** Motion carried unanimously by voice vote, with Reps. Berry, Furey and Milburn voting by proxy.

02:56:10 **Motion:** Rep. Reinhart moved that **HB 189 DO PASS AS TWICE AMENDED.**

02:56:24 Rep. B. Beck

02:56:59 **Vote:** Motion that **HB 189 DO PASS AS TWICE AMENDED** failed 9-9 by roll call vote with Rep. Augare, Rep. Beck, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye. Reps. Berry, Furey and Milburn voted by proxy.

EXECUTIVE ACTION ON HB 143

02:59:07 **Motion:** Rep. Reinhart moved that **HB 143 DO PASS.**

02:59:17 Mr. Campbell
 02:59:28 Chairman Wilson
 02:59:33 Rep. Reinhart
 03:00:02 Rep. Arntzen
 03:00:25 Rep. Reinhart
 03:00:44 Rep. Arntzen
 03:01:16 Rep. Hunter
 03:01:46 Rep. Augare
 03:02:15 Rep. Noonan
 03:02:48 Rep. B. Beck
 03:03:57 Rep. Reinhart
 03:05:06 Rep. Welborn
 03:06:04 Rep. Noonan calls for the question.

03:06:15 **Vote:** Motion carried 10-8 by roll call vote with Rep. Arntzen, Rep. Beck, Rep. Berry, Rep. Klock, Rep. Milburn, Rep. Reichner, Rep. Smith, and Rep. Vance voting no. Reps. Berry, Furey, Milburn, and Reichner voted by proxy.

03:08:23 Chairman Wilson
 03:08:31 Rep. B. Beck
 03:08:36 Chairman Wilson

Additional Documents

ADJOURNMENT

03:08:50 Adjournment: 11:41 A.M.

SANTELLA BAGLIVO, Secretary

sb

Additional Documents:

EXHIBIT ([buh15aad.pdf](#))